

MINUTES OF A REGULAR MEETING

BROOKLYN CITY COUNCIL

September 9, 2013

7:00 p.m.

Present: Tom Murphy
Kathy Pucci
Tony DeMarco
Ron Van Kirk
Colleen Gallagher
Katie Gallagher
Kevin Tanski

Absent: None

Pledge of Allegiance.

President Pucci offered condolences to the family of Kit Krause who passed away over the summer, and commented on his volunteerism for the schools and community.

APPROVAL OF MINUTES:

MOTION by Murphy, second by K.Gallagher to approve the minutes from June 25, 2013. **VOTE RESULTED:** Yes: Murphy, Pucci, DeMarco, Van Kirk, C.Gallagher, K.Gallagher, Tanski. No: None. **(APPROVED)**

President Pucci updated on meetings that had occurred over the summer, as they are not televised. Special mtg. on July 22: Authorization for reconciling entries from previous years; accepted a \$1,000 grant from Sam's Club/Wal-Mart (will be used for turkeys for Thanksgiving baskets); authorized night construction on Northcliff; authorized change for Sport Court (CDBG grant), added work on tennis courts; discussion about the Splash Pad (\$150,000 grant had to be returned for the project, the construction estimate rose, information was not related to Council in time, then time was not sufficient to complete CDBG timetable...); Res. #6, revised pension related deductions that Police and Fire pay; Ord. #48, created unclaimed monies fund; Ord. #49, amended appropriations; Ord. #50, authorized labor agreement with Police and Sergeants units; Ord. #51, amended Juvenile Diversion Coord. agreement. Work session on Aug. 20: discussed two agreements for Economic Development with Arrow International; discussion on how funding opportunities are handled. Special mtg. on Aug. 26: Authorization and approval for extension of three part-time Service Garage employees; authorize expenditure for safety relief valves at Rec Center; authorize Mayor to enter into Job Creation and Retention Grant agreement with Clinton Rd. Partnership (Arrow Int.); Ord. #53, Authorize Mayor to execute a Community Reinvestment Area tax agreement with Clinton Rd. Partnership (Arrow Int.); Ord. #54, Authorize purchase of two hot water tanks and expansion tanks at Rec Center; Ord. #55, Authorize Mayor to retain Tucker Ellis for consulting on Landfill; Ord. #56, Authorizing Mayor to enter into agreement with Civil & Environmental Consulting, Inc. for services relating to the Landfill.

PUBLIC SESSION:

Jerry Brown of 4790 Elizabeth Ln. said he *watched* the Aug. 20th School Board meeting where Board member Cyngier commented that property taxes will neither go up or down by not renewing the upcoming levy. He said no Board members or the Treasurer commented on his comment. When contacted, Mr. Cyngier told him the same thing. He e-mailed the County Treasurer's Office, asking how property taxes are affected if the school levy fails, and they responded that if the levy is not renewed before its termination date it will be removed from the tax duplicate. He also called them for clarification and discussed the Brooklyn levy. He was told the tax rate would be reduced, and the property rate go down, and reacted negatively on Mr. Cyngier's knowledge of the subject. He said no one corrected or commented on Mr. Cyngier's remarks and questions the knowledge and intent of the Board and Administrators. Also the Board blamed voters for the levy not passing, acknowledging lack of effort to get it passed. Also commented on the School's D grade in the new school report cards on graduation rate.

REPORTS OF COMMITTEES, COMMISSIONS & BOARDS:

Finance Committee (Councilwoman Pucci): The Committee met at 6:15 and recommended adoption of items on the Agenda, she will elaborate as each item is introduced; received comprehensive update from Finance Director.

Recreation Board (Councilman Tanski): Learn to Swim registration runs through Sept. 13th with classes beginning the 16th. Competitive swim classes also available. The fall Learn to Skate registration is through Sept. 14th. Schedules available at www.brooklynskating.com or call 216-870-3303. The next Board meeting will be Monday, September 16th at 7 p.m. in the Mayor's Court.

Zoning Bd. of Appeals (Comm. Fitzgerald): The Board met on Aug. 15th for old business for 6607 Vandalia, for additional time not to re-build a two-car garage, which the variance extended three months to allow for other exterior items to be completed. Special mtg. on Aug. 29th for rear yard setback variance from Arrow Int. at 9900 Clinton for an addition to the back of the building, which was granted by the Board.

Planning Commission (Councilwoman K. Gallagher): The Commission met July 11th and passed a request from All Signs and Designs to install wall mounted sign for Dress Barn at 4780 Ridge Rd.; passed a request from Brilliant Electric Sign to install wall mounted signs for Key Bank and Victory Capital Mgmt. at 4900 Tiedeman Rd.; passed a request from Visconti Companies for partition lot consolidation to create lot #5 for LA Fitness at southwest corner of I-480 and Tiedeman (between Max & Irma's and Key Bank); passed a request from Visconti Companies for 45,000 sq. ft. for LA Fitness Center and parking lot at same location; passed a request from Visconti Companies for wall mounted sign for the LA Fitness Center, and 75 additional parking spaces for same. The Commission met Aug. 1st and passed a request from Triad Engineering and Contracting for wall mounted sign for 9715 Clinton Rd.; passed a request from Premier Auto Body and Collision Center for free standing sign for 11300 Brookpark Rd.; passed a request from AMZ Enterprises for lot consolidation for Aldo's Restaurant, 8459 Memphis Ave.; passed a request from Visconti for final site plan approval for the proposed LA Fitness; passed a request from Visconti for final site plan approval for proposed additional 75 parking spaces. The September 5th meeting was cancelled.

Economic Development Committee (Councilwoman Pucci): The met three times over the summer. June 26th: discussed the two agreements with Clinton Rd. Partnership (Arrow Int.); discussed possible expansion of business in Vendor's Exchange bldg. on Brookpark Rd.; advised of a medical practice considering expanding; and a portfolio management company possibly interested in locating here for independent and assisted living; had an executive session to discuss potential sale of public property; discussed the Steering Committee to the marketing committee and the next steps. July 17th: worked on two agreements for Arrow; Aug. 7th: (attended by principals from Arrow) voted to recommend agreements to Council; had general discussion on improving internal process and establishing guidelines for process for Economic Development agreements.

REPORTS OF COUNCIL:

Kevin Tanski: Hope all enjoyed the summer and welcome back. Received some complaints from residents about over crowded basketball courts, not allowing residents to have time on the courts. Asked Mgr. McGinty to address the issue. Also, a youth baseball team had a picnic at main pavilion, and he and others were appalled at some behavior displayed, with profanity, smoking on/off courts, hanging on basketball rims. This should not be tolerated. Supervision is needed when the park is open. Also wants the Mayor's input. Mgr. McGinty said they are aware of the situation; but due to the budget cuts many years ago they can't put people up at the courts as in the past. The courts are only open for another week, but Dir. Verba, Dir. Claussen and she will sit and discuss with Chief Mielke how to address this for next year and have it covered at all times. They are aware of issues going on. Mayor Balbier said he was unaware of all this, but will speak to the Chief. He has stopped up during the daytime and spoken with these kids about damage and closing it if needed. Councilman Tanski said he has also spoken to some officers about it and he thinks it will be difficult for them to babysit there all day. We'll have to put someone up there to control the situation, but doesn't know where to get the money. It is out of control, and our residents don't even have a chance to get

on the courts. The Mayor said it will be looked into. Mgr. McGinty also told Councilwoman Pucci the sport court tiles will be collected and put in the house and locked up for the winter, then put back out in the spring.

Tom Murphy: Thanked residents, including his neighbor who cuts the circle near his house, and others who do acts of kindness around the city. He witnessed a woman riding her bike get off and pick up trash. Also Mr. Brown on Idlewood cleaned the bridge at the end of the street and painted it, after clearing it with the State. Said Jennifer Esarey was a value added to the city, and she will be leaving. Informed that his neighbor John Vrsansky passed. As previously mentioned, the Veteran's program came in at the 11th hour. Home Depot has a pool of money to help Vets, and through some effort a Vet has been found to take part, and he was turned over to Mr. Van Kirk to spearhead it (through the Baptist Church). Regarding the comment made about the school, he has also been approached, and asked if it's not going to cost more money. He likens it to making a car or house payment – when it's paid off do you keep making payments? He doesn't think so. There are too many unemployed and under employed people on fixed income, and even renters, he thinks it's \$175-\$200 a month coming off of taxes, a month. If it passes it gets added on. He will not support the levy.

Tony DeMarco: Welcomed everyone back. Had a fairly busy summer on a variety of items. Asked the members of Zoning Bd. of Appeals, on an item coming up Sept. 19th for the Loving Cup Academy on Ridge, another variance; he is hoping that variances are an exception and not the rule, or what's the point in having an ordinance. In his opinion some of the work on their property is atrocious and it's an eyesore. Said to use discretion on granting variances for residences and businesses. A few months ago he had an unanswered question regarding job creation from the Mayor. He thinks it's sad our elected leader won't answer a simple question about the financial future of our city. The Council President mentioned we met on a variety of items over the summer. The Splash Pad project, which he was hoping for, is not going to happen. Thinks it's rare for a city to receive grant funding and then have to return them. Hopes the Mayor will also address that this evening. They also met on an economic development package for Arrow International. Seems to be a pattern of him being in a majority on many of the issues, and he's fine with that. He did not support either ordinance for Arrow Int., as he does not feel they were in the best interests of our residents and city. We're providing funds totally \$200,000 over four years in return for 25 jobs being created. We're not given information from our Economic Development Dir. what the additional payroll created would be for the additional jobs. He also didn't support the 50% tax abatement on the addition for Arrow also. He would have preferred a longer term deal committing Arrow to the city and vice versa. We need to plan for the future, not the next few years. When desperate for economic development the kinds of deals amount to a Sheetz, LA Fitness and the Arrow project, all of which he did not support. A few months ago he said he wouldn't continue talking economic development since the Mayor said he's satisfied with it; but it's hard to sit by and watch time pass while no effort is being made for a transformation the city needs. Last Friday he was invited to a Family and Friends event for the opening of the new headquarters for the new Martens and Sons Ambulance Service on Brookpark Rd. They'll move in next week, bringing in excess of 300 jobs to the city. He's proud of his efforts and involvement in assisting in the process. It's been a long journey but well worth it. The transformation of the property is spectacular. He thanks Dean Martens for locating the business in Brooklyn and wish them continued success. He had a few comments about outgoing Finance Dir. Esarey. Over the almost last two years he can't really describe the quality of the person the city is losing. With her resignation, wild stories, insinuations and slanderous statements surfaced. His association with her has nothing to do with finances of the city, and implying such is ridiculous, but not unexpected. He always gives facts and how he feels. He's passionate about making the city a better place to live, work and raise a family. Being an elected official comes with additional exposure and scrutiny, but not to the levels certain Councilmembers have stooped to. Jenny is an independent thinker, not influenced by him or anyone else. Her thinking, attention to detail and multi-tasking are traits he and the city will miss. It has been rare to find people doing the right thing and do a good job, and she is one. They are personal friends. He wishes her much success in her position as Finance Director for the City of Streetsboro. In two years the city has lost two finance directors, and if there is wonder why we can't keep them, it can't be more obvious. It's a reflection of the many challenges the community faces. We're advertising for a new director, and have received some resumes. He will keep everyone posted as we go through the process.

Ron Van Kirk: Had a busy summer, and happy to be back in session. Welcomed everyone. Reiterated comments on Kit Krause and offered his condolences. He was a friend who helped him, volunteered for many things, and will be missed. Thanked Dir. Esarey for her hard work, and said she will be missed and wished her best of luck in Streetsboro. We will remember the 12th anniversary of September 11th in a couple

days, a difficult time for the nation, not to be forgotten. Keep in prayers men and women who serve in civil servant capacity, and their families. In regard to the grant for Veterans, working with the company with those funds, and received an e-mail from Fran about being in a holding pattern for that while things are being finalized. Will update further.

Colleen Gallagher: Welcomed back everyone. The 53rd annual Brooklyn Community Picnic is Sunday, Sept. 15th from 1-5 p.m. at the Community-Senior Center. Any questions to Regis Barrett at 216-252-6170. The Historical Society will hold their Shunpike Shoppe Sale Saturday, Sept. 28th from 10-3, and Sunday, Sept. 29th from 12-3 at 4442 Ridge Rd. Many homemade items for sale, patchwork quilt raffle. Free admission. Condolences to families of Kit Krause, John Vrsansky and Mr. Jim Gantose; good residents, and sadly missed. She had voted to extend the three part-time employees for the Service Garage for the remainder of the year – and she listed many reasons why, including the reduction in numbers from 35 (2008) to 20 (current), the breakdown of the daily operations, including trash, recycling and compost pickups, street crew, grass cuttings, tree maintenance, street sweeper, future leaf collection, etc. There was also a list of projects they would like to do in the immediate future. She wanted the residents to know why she supported it. Thanked Dir. Esarey for her service to the city, and wished good luck on her new position.

Katie Gallagher: Hope all enjoyed the summer. Last several months Council heard many comments on the appearance of city's property. A day of overtime was approved to do a clean up in the parks, and the three part-time employees were approved. She hopes it will help the city looking good. Residents keep up their properties, and the city also needs to do its part. Hopes we look at a new recycling truck next year to utilize workers better. Thanked Dir. Esarey for her hard work and wished good luck on her new job. The Laurel Garden Club's next meeting is tomorrow at 7 p.m. at the Brooklyn Fire Station, where awards will be given to members for various grown items. The VeggieU project will be reported on. She spoke to a resident about various issues in the city, and he expressed his gratitude for our EMS/Firefighters on calls to his home in the past. With the Sept. 11th anniversary it's a reminder of the hard work the Fire and Police do, putting their lives on the line.

Kathy Pucci: Thanked Pastor and Mrs. Folger and Mr. Van Kirk for the invitation to Public Servants Day at Cleveland Baptist Church. Safe Routes to School Comm. will meet Sept. 11th at 7:30 a.m. at Brookridge. Thanked all directors and employees who handled complaints and concerns over the summer. Gave an update regarding Parma Hospital, and their potential integration into University Hospital's system. She questioned the impact of the founding communities (Brooklyn is one). Their representative, Dean DePiero contacted her, and the Hospital Bd. was looking to establish partnership for many reasons, and the difficulty of remaining independent. The Hospital sought research and information into partnerships and affiliations; University proposed investing millions in infrastructure, capital expenditures, and medical recruitment. It's not a purchase, but rather an integration, leaving the Board of Trustees intact, remaining a community hospital. Legally, University Hosp. will become the sole member of the Association, though still being negotiated with duties and responsibilities. She asked to be kept apprised through the process. Some city employees and residents were concerned about our healthcare plan exclusion of University Hospital facilities as a network option, which would make it more costly for out of pocket. Mr. DePiero contacted both hospitals, and today he said he has their official response, but the details have to be reviewed prior to sharing the information. Regarding Backyard Fun, she had conversations with Dir. Verba and Chief Mielke about the situation and auxiliaries, and that auxiliaries do not sign up to work in the park. They discussed the duties and possible new auxiliaries being utilized there. This has to be addressed, to protect our investments, control the behavior, and addressing a plan. Dir. Esarey is leaving for a position in another city, and she thanked her for her efforts here. She demonstrated exceptional work ethic, and diligently worked to oversee the budget. She also thanked her for recognizing and respecting Council's role in governance of the city. She will be missed, and good luck on her new position. Asked residents to remember in thoughts and prayers victims of 9/11, and their families; and first responders who put their lives on the line daily.

MAYOR'S REPORT:

Mayor Balbier: Many things occurred over the summer. Regarding our Finance Dir. leaving, he looks at it as our Finance Directors being so good they are sought after, as had happened with Mr. Fisk, Mr. Kennedy, and now Ms. Esarey. He knew from the first interview Ms. Esarey was going to be very good, and would be a

fantastic Finance Dir. Tomorrow she will receive an award from the Auditor of State for the 2012 CAFR. She will be missed a lot. The grant was lost for the Splash Pad, and there was a lot of things involved with it, because he takes responsibility for it, since everything comes across his desk. Like was said, the Engineer said it wouldn't be done in time, and the city stuck with all the bills, so Council decided not to go forward. A new draft is being worked on for handling grants in the future so this does not happen again. A grant was received to put in new equipment in the park and basketball court area. He knew there were some issues at the courts, but he had not heard how bad it was. He and the Chief will get together on it. Sheetz is moving along; Martens Ambulance Service is opening shortly, which looks fantastic; Arrow International is adding \$2 million plus additional; the Ridge Park Square theater is putting in \$1 million renovation, permits are being taken out; and Key Bank is going to do a \$7.5 million refurbishing of their top floor, and they will be moving more people there, but have not given numbers yet. As of the end of August the Building Dept. has taken in \$266,000 in permits; all of last year they took in \$113,000. Comm. Fitzgerald is shooting for \$300,000. Summer street work was: Associate Avenue (partly paid for with grants Dir. Migliorino got); Glencoe west of Ridge is finished; phase one on Ridge has started, will be done over the next couple years; Northcliff was a fantastic job, and night work allowed them to scrape off the top, and due to \$70,000 saved on that project the Council will vote to do North Amber with those savings. On a bad note, all summer he had told everyone ODOT was going to make the ramps at 480 and Tiedeman four lanes instead of two, but the week before it was to start ODOT said they can't do it this year as they were not done with the engineering, so it won't be done until the spring. CodeRED was added to the city, allowing emergency alerts to telephones, or something like street blockages and garbage collection a day late could be put out to people. The cardiovascular fitness room was opened at the Rec Center, which was due to the estate of Edward Domino. As was stated, Sam's Club gave \$1,000 donation which will be used for Thanksgiving turkeys. The County Solid Waste notified that in 2011 they started taking in hazardous materials to be disposed of, as of Aug. 2013 they took in 1,000 pounds of hazardous waste. The Chamber of Commerce thanked everyone who helped support their Picnic in the Park. The Community picnic at the Senior Center is Sunday. The Heritage Program which was introduced to help residents that have homes 50 years and older to be able to apply for a low interest grant, he was told another letter will be sent out this month because there were only seven inquiries from our city. It will help with, for example, remodeling a kitchen, from suggestions to low interest loan. The Laurel Garden Club will have their meeting Sept. 10th at 7 p.m. at the Fire Station. He was honored to be the Honorary Chairperson for The Upside of Downs, which supports families of children with Downs; he gave a report at Progressive Field in front of 5,000 people on being the grandparent of a child with Downs and how wonderful it was.

President Pucci neglected to mention there will be an Executive Session at the end of the session. She asked Comm. Fitzgerald to address variances being requested at Loving Cup Academy. Comm. Fitzgerald said they're going to be an addition, and need a 45 foot side yard variance and an 18 foot rear yard variance. Required is 50 foot side and 50 foot rear. (instead of a 50 foot setback it would be a 5 foot setback) He said the addition is to expand the daycare with a two-story addition, an indoor play area, and corporate offices. Mayor Balbier said he was first upset to see the day care – but it is not complete. The guardrail will be painted black, and there will also be shrubs to hide the whole thing planted along it. He also has an Economic Development report from Fran: (for spring 2013): Triad Engineering is now housed on Clinton Rd. (headquarters and distribution); Arrow ready to move forward on \$2 million expansion; ARL Trucking purchased more land from Epson Mgmt. Co. to expand; Brooklyn Distribution Center just leased to Sherwood Industrials and two confidential clients, which will fully occupy the distribution center (the bldg is at 8500 Clinton); Fran met with owners of Areway, their business is picking up; Matthew Metals is looking to purchase 10,000 sq. ft., leasing presently, and looking to find a location in Brooklyn; Martens and Sons Ambulance opened for business shortly; LA Fitness getting ready to break ground; Sheetz opening first of November; activity by a confidential purchase of former Max and Irma's; Key Bank applied for \$7.5 million in renovations; ODOT sold widening of ramps project to Great Lakes Const., but will be in the spring; the child care on Ridge was discussed; Gold's Gym completing their renovations, to open soon.

DIRECTORS' REPORTS:

Finance Dir. Esarey: Thanked Mayor Balbier and Council for opportunity to serve as Finance Dir. Met many wonderful residents, and wishes the city continued success and growth. Thanked Mayor Balbier and Councilwoman Pucci for support during this transition. Appreciated kind words and well wishes in person

and telephone from Councilmembers Pucci, Murphy, Tanski and Van Kirk; and special thanks to Councilman DeMarco for help and support during her time here. Thanked for the opportunity.

Service Dir. Verba: Letting residents know paving will start on Ridge next week, no exact date because of weather. There will be a CodeRED sent out to let everyone know how the traffic pattern could vary. President Pucci said we need to get this information to the schools as soon as possible, even if the date isn't set, so they are kept in the loop. He said he's meeting with the County tomorrow, and after he has their information and meet with the Mayor and Chief he will contact the schools.

Police Chief Mielke: Wants to make sure everyone knows about CodeRED. If you have received a phone call already you are in the database you don't have to do anything unless you want to add additional phone numbers for contact. Access through the www.brooklynohio.gov website, go to CodeRED and add your information – name, address, phone numbers, e-mail. Call City Hall at 216-351-2133 if you do not have internet access and they will be happy to do it for you. Also, solicitors in the City must have a solicitor's permit. Last week a resident got scammed by some magazine solicitors, scammed out of \$500 when she let them into the home. Make sure when they come to the door they have their permit to show you. There is no excuse for not having it. If they do not, send them away and call the Police with a description, direction of travel or a vehicle they are in – the police will come and check them out, and they will be cited if they don't have a permit. They will try to work their way into your home while distracted by another person.

REQUESTS:

Request for authorization for Bureau of Worker's Compensation Retrospective Rating application from the Finance Dir. Due to claims history we cannot participate in a group program. Projected costs are \$116,460 – which will continue in the retrospective tier one. More information was provided in a letter from the Finance Dir. **MOTION** by Van Kirk, second by Tanski to authorize retrospective rating for 2014. **VOTE RESULTED:** *Authorize:* Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **(AUTHORIZED)**

As the Mayor announced, some road construction came in under costs, the Engineer is requesting to allocate those funds to get North Amber Drive done at an estimate of \$70-75,000. **MOTION** by Tanski, second by C.Gallagher to authorize. **VOTE RESULTED:** *Authorize:* Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **(AUTHORIZED)**

LEGISLATION:

RESOLUTION 2013-7: (It's incorrect on the Agenda as 2013-6, so it will be amended) Accepting the amounts and rates as determined by the Budget Commission and authorizing the necessary tax levies and certifying them to the County Fiscal Officer. There is no increase in property taxes for 2014 relating to the city, and will remain at 5.90 mills. **MOTION** by Van Kirk, second by C.Gallagher to amend the number of the Resolution to 7. **VOTE RESULTED:** *Amend the number:* Yes: Murphy, DeMarco, Pucci, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **MOTION** by Van Kirk, second by Tanski to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. *Adopt, as amended:* Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **(ADOPTED AS AMENDED)**

ORDINANCE 2013-57: Authorizing the Mayor to enter into a contract with Jackson, Dieken and Assoc. of Westlake, Ohio for the purpose of providing property and casualty insurance for the City of Brooklyn for the period September 25, 2013 to September 25, 2014 for a total cost of \$176,958. **MOTION** by K.Gallagher, second by Van Kirk to suspend the rules. **VOTE RESULTED:** *Suspend the Rules:* Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. *Adopt:* Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2013-58: Amended annual appropriations Ordinance. Amending Ord. 2013-8, as amended by Ords. 2013-36 and 2013-49, entitled, 'An Ordinance to make appropriations for current and other expenditures of the City of Brooklyn, State of Ohio, for the period January 1, 2013 to December 31, 2013.

President Pucci said many of the amendments accommodate changes already authorized by Council, and adding additional during the interim period with no Finance Dir. that no areas go over. Increasing General Fund by \$204,986; decreasing \$169,942 in CDBG; increasing \$22,280 in Police Pension, \$20,852 in Fire Pension; increasing \$25,000 in Capital Fund; and some other amounts. **MOTION** by K.Gallagher, second by Van Kirk to suspend the rules. **VOTE RESULTED: Suspend the Rules:** Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **Adopt:** Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2013-59: Authorizing inter-fund transfers and advances during 2013. The breakdown was given as per the Finance Dir. **MOTION** by K.Gallagher, second by Tanski to suspend the rules. **VOTE RESULTED: Suspend the Rules:** Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **Adopt:** Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2013-60: Authorizing the Mayor to enter into an amended agreement with the City of Parma to lease, for the purposes of the City of Brooklyn Safety Forces or Service Department, in connection with their public functions, such audio communication space as is needed. (current charges are \$17.50 per radio, this new contract is for \$5 per radio, with a clause to release with 180 days' notice) **MOTION** by Tanski, second by Van Kirk to suspend the rules. **VOTE RESULTED: Suspend the Rules:** Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **Adopt:** Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **(ADOPTED)**

ORDINANCE 2013-61: Authorizing the Mayor to enter into a final settlement agreement and release in settlement in the case known as Patryk Szalazny versus Iceland USA, et al, United States District Court, Northern District of Ohio, Eastern Division, case #4:10CV-2843. (This is at the recommendation of the City's insurance company. It's for \$45,000 – insurance will cover all but \$5,000 deductible.) **MOTION** by Van Kirk, second by Tanski to suspend the rules. **VOTE RESULTED: Suspend the Rules:** Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **Adopt:** Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **(ADOPTED)**

President Pucci said there will be an executive session for an update on labor negotiations and discussing matters of personnel within the Police Dept. and Dispatchers Dept. as it relates to disciplinary action (with the Mayor, Law Dir. and Police Chief.) Dir. Claussen said he really doesn't have anything for the negotiations update other than our negotiator is trying to make contact with a number of the unions. Two are waiting for counter offers, but he can say something. President Pucci said this is two meetings now waiting for an update. Dir. Claussen said a couple meetings are set for early October.

Councilman DeMarco said the Mayor had a list of economic development projects in the city, some he is hearing for first time. He would like a list provided to Council. And he hasn't seen minutes from Economic Development Committee. President Pucci said there is one set of outstanding minutes, but she will check with Dir. Migliorino why Council hasn't received them. He thinks it's important to get those. The Mayor said he'll make sure he gets them. Councilman DeMarco also said, in all of what the Mayor read off, he didn't hear one word about the number of jobs being created. So in his opinion, if we're looking at economic development, the number of jobs being created is the most important thing being considered. If someone's doing a million dollar renovation but not creating any new jobs, it won't increase the payroll and replace the hole in our budget in a couple years.

Councilman Tanski thanked Dir. Esarey for her hard work and wished good luck in Streetsboro.

MOTION by Murphy, second by Van Kirk to adjourn to executive session, with the Mayor, Police Chief and Law Dir. to discuss matters of personnel as it relates to the Police Department and Dispatchers Unit. **VOTE RESULTED: Adjourn to Executive Session:** Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **(ADJOURNED TO EXECUTIVE SESSION)**

MOTION by C.Gallagher, second by Murphy to reconvene. **VOTE RESULTED: Reconvene:** Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None. **(RECONVENED)**

There being no further business, **MOTION** by Pucci, second by Murphy to adjourn. **VOTE RESULTED:**
Adjourn: Yes: Murphy, Pucci, DeMarco, VanKirk, C.Gallagher, K.Gallagher, Tanski. No: None.
(ADJOURNED)

Asst. Clerk of Council

President of Council